The meeting was called to order at 3.15 p.m.

CONSIDERATION OF THE QUESTION CONCERNING THE FINALIZATION AND ADOPTION OF A CONVENTION ON THE ESTABLISHMENT OF AN INTERNATIONAL CRIMINAL COURT IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTIONS 51/207 OF 17 DECEMBER 1996 AND 52/160 OF 15 DECEMBER 1997 (*continued*) (A/CONF.183/2/Add.1 and Corr.1; A/CONF.183/C.1/L.45/Add.2 and L.57; A/CONF.183/C.1/WGP/L.14/Add.2; A/CONF.183/C.1/WGPM/L.2/Add.5)

Parts 5 and 6 of the draft Statute (continued)

1. **Ms. FERNANDEZ de GURMENDI** (Argentina), Coordinator of the Working Group on Procedural Matters, introducing the Working Group's report (A/CONF.183/C.1/WGPM/L.2/Add.5), said it was transmitting to the Committee for consideration paragraph 1 (c) of article 54 *bis* and article 72. Paragraph 4 of article 72 had been deleted. The footnote to paragraph 1 of that article was also to be deleted in the light of the fact that a proposal for a new paragraph was currently awaiting discussion.

2. **The CHAIRMAN** said that if he heard no objection he would take it that the Committee wished to refer the provisions contained in the report, as orally amended, to the Drafting Committee.

3. *It was so decided.*

Part 4 of the draft Statute (continued)

4. **Mr. RWELAMIRA** (South Africa), Coordinator, introducing his report on Part 4 of the draft Statute (A/CONF.183/C.1/L.45/Add.2), drew attention to the new text being recommended for article 37, paragraph 1. That text would have implications for paragraph 5 (a) of article 37, which had already been submitted to the Drafting Committee, and which would now need to be amended so as to specify that the number of judges of the Court was 18. Paragraph 4 *bis*, as now worded, would entail the consequential deletion of the words "[on each of the lists referred to in paragraph 4 *bis*]" from paragraph 8 (b) of article 37. The words "violence against women and children", in paragraph 7 (2), should be amended to read "violence against women or children". In article 40 a footnote should be added at the end of paragraph 1, to read: "Some delegations expressed the view that the predominance of judges with criminal trial experience should be reflected in the composition of Chambers."

5. One paragraph of article 49 was still pending, and would be transmitted to the Committee at a later stage.

6. **Mr. KROKHMAL** (Ukraine) said his delegation welcomed the text of article 37 submitted in document A/CONF.183/C.1/L.45/Add.2, which was a significant improvement on the original text proposed by the Preparatory Committee. However, it was extremely important that the principle of equitable geographical representation should be applied not only at the candidate selection stage but also at the stage of the elections proper. The text of paragraph 1 of article 37 as originally submitted by the Preparatory Committee had included a bracketed wording providing for a figure to serve as a criterion for equitable geographical representation. That provision had been omitted from the text proposed by the Coordinator, and should be reinstated. Accordingly, his delegation, together with the delegations of Belarus and Kazakhstan, was submitting a draft resolution on the question (document A/CONF.183/C.1/L.57), which he urged the Committee to support.

7. **Mr. CHUKRI** (Syrian Arab Republic) said he wished it to be recorded that his delegation strongly opposed paragraph 4 *bis* of article 37, and also the consequential amendment to paragraph 8 (b).

8. **The CHAIRMAN** asked if he could take it that the Committee agreed to refer the provisions contained in the report of the Coordinator, as orally amended, to the Drafting Committee.

9. *It was so decided.*

Part 7 of the draft Statute (*continued*)

10. **Mr. FIFE** (Norway), Coordinator of the Working Group on Penalties, introducing the Working Group's report (A/CONF.183/C.1/WGP/L.14/Add.2), said it was transmitting to the Committee for consideration article 75, paragraph 1. In that connection, he drew attention to a footnote indicating that the adoption of the paragraph was without prejudice to the the issue of the inclusion or the non-inclusion of the death penalty, and also without prejudice to the structure of article 75. The Working Group also transmitted for consideration article 77, paragraph 3.

11. **The CHAIRMAN** said that if he heard no objection, he would take it that the Committee wished to refer the provisions contained in document A/CONF.183/C.1/WGP/L.14/Add.2 to the Drafting Committee.

12. *It was so decided.*

The meeting rose at 3.35 p.m.